

YOUTH SERVICES

POLICY

Title: Requirement of Physician's Certification for Sick Leave Usage Next Annual Review Date: 07/19/2014	Type: A. Administrative Sub Type: 2. Personnel Number: A.2.6
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References: Civil Service Rule 11.14, "Certificate Required When Sick Leave Taken"; the Family and Medical Leave Act of 1993, FR Part 825.118 (Health Care Provider Definition); YS Policies A.2.1 "Employee Manual", A.2.5 "Family and Medical Leave of Absence", A.2.37 "Separation for Unscheduled Absences"; A.2.45 "Performance Evaluation System (PES)"	
STATUS: Approved	
Approved By: Mary L. Livers, Deputy Secretary	Date of Approval: 07/19/2013

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish a formal policy for determining when a statement from a health care provider will be required for an absence due to illness and when an unusual pattern of sick leave usage is evident.

III. APPLICABILITY:

All YS employee's. Each Unit Head is responsible for ensuring that all appropriate procedures are in place to comply with the provisions of this policy.

IV. DEFINITIONS:

Health Care Provider - Refers to licensed doctors of medicine or osteopathy authorized to practice medicine or surgery by the state; licensed podiatrists, dentists, clinical psychologists, optometrists, and chiropractors; licensed nurse practitioners and nurse midwives.

Juvenile Justice Specialists (JJS) – Formerly referred to as custody staff, security staff, Youth Care Officer, and Youth Care Worker.

Unit Head - Deputy Secretary, Assistant Secretary, Undersecretary, Chief of Operations, Deputy Assistant Secretary, Regional Directors, Facility Directors, and Regional Managers.

YS Central Office - Offices of the Deputy Secretary, Assistant Secretary, Undersecretary, Chief of Operations, Deputy Undersecretary, Deputy Assistant Secretary, and their support staff.

V. POLICY:

It is the Deputy Secretary's policy that staff may be required to provide a statement from a health care provider when absences due to illness represent extended sick leave or constitute an unusual pattern of sick leave usage, as outlined in this policy.

VI. NOTIFICATION OF ILLNESS OR INJURY:

- A. YS employees unable to report for duty due to illness or injury shall immediately notify their supervisor or ensure such notification is made to their supervisor.
- B. YS employees shall communicate to their supervisor the nature of the injury or illness, the location where he/she shall be recuperating, and the expected date of return to duty.
- C. YS employees shall advise their supervisor of any changes in section VI.B of this policy, which may occur after the original notification was given. The supervisor may require a doctor's certificate.
- D. YS employees injured on-duty shall report such injury to his/her immediate supervisor as soon as possible, and comply with the provisions of all other existing regulations pertaining to such injuries.
- E. YS employees shall not feign, or perpetrate, or attempt to perpetrate deception of illness or injury to any state official or representative of this Agency as to the real nature of his/her physical condition.

VII. PROCEDURES:

- A. Each Unit Head shall establish and implement a process which shall serve as a guide to supervisors and staff in determining when a statement from a health care provider will be required for an absence due to illness and when an unusual pattern of sick leave usage is evident. Requirements are outlined below:
1. Facility Directors and other Unit Heads overseeing custody staff are responsible for maintaining staff/youth ratios. Facility Directors and supervisors of custody staff shall establish and implement a process to make certain facilities are staffed to ensure safety and services to youth in the care of YS. Medical certification may be required for employees working in secure care facilities whose recurring absences create a burden upon other staff or create a safety issue within a facility.
 2. All other staff may be required to produce a statement from a health care provider at the discretion of their supervisors and/or higher authority, depending on the circumstances. When staff is required to produce a statement from a health care provider, they shall provide it no later than the first day back to work. This includes statements from health care providers for extended sick leave usage, as well as when an unusual pattern of sick leave usage is evident.
- B. The Unit Head's process shall outline the procedure through which sick leave usage is individually assessed and how a determination can be made as to whether or not a statement from a health care provider will be required for an absence due to illness.

The determination of an unusual pattern of sick leave usage shall include, but is not limited to, factors such as the amount of sick leave taken during a specific period of time and/or a noticeable practice of sick leave on specific days of the week or holidays.

Documentation of a discussion with the staff member regarding any unusual pattern of sick leave usage must be included in the appropriate performance evaluation file, and the matter considered when conducting the staff member's performance evaluation rating (Refer to YS Policy A.2.45).